

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **J Black & Associates PLC v Lake Park Village LC**
Docket No. **304156**
L.C. No. **10-092837-CK**

William B. Murphy, Chief Judge, acting under MCR 7.203(F)(1), orders:

The claim of appeal is DISMISSED for lack of jurisdiction because it was not timely filed from a final order appealable of right. MCR 7.204(A). The order denying the motion to stay execution and amend the default judgment is not a final order appealable of right. The final order in the case is the default judgment. See *Allied Electric Supply Co Inc v Tenaglia*, 461 Mich 285, 288-289; 602 NW2d 572 (1999). Furthermore, the motion to stay execution and amend the default judgment did not toll the time for filing an appeal from the default judgment because the motion was not filed within 21 days of the entry of the default judgment. MCR 7.204(A)(1)(b); *Allied Electric, supra*. At this time, appellant may seek to appeal only by filing a delayed application for leave to appeal under MCR 7.205(F).



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

JUN 03 2011

Date


Chief Clerk